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#### **REMARKS**

This is in response to the Office Action mailed May 10, 2005.

The amendments and remarks presented herein are believed to be fully responsive to the Office Action. Accordingly, reconsideration is requested.

Enclosed herewith is an RCE in order to remove the finality of the recent Office Action. Accordingly, entry of the amendment and reconsideration is requested.

#### **Claim Rejections – 35 U.S.C. § 102.**

Claims 52 and 53 were rejected under 35 U.S.C. § 102(b) as being anticipated by United States Patent 5,979,636 to Vanacore et al. as recognized in the Office Action. Vanacore et al. does not disclose the controller as being capable of controlling the speeds of individual conveyors to rotate an article. Amended claim 52 is distinguishable over Vanacore et al. including providing that the controller is adapted to rotate an article by controlling the speed of the conveyor. Accordingly, anticipation has been overcome. Withdrawal of the rejection is requested.

#### **Claim Rejections – 35 U.S.C. § 103.**

Claims 1-6, 13, 18-29, 54 and 56-62 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Vanacore et al. in view of United States Patent 6,464,065 to Herubel et al. and United States Patent 5,660,262 to Landrum et al. The Office Action takes the position that, although Vanacore et al. does not disclose the controller being capable of controlling the speeds of the individual conveyors to rotate an article, Herubel et al. discloses the broad teaching of providing a plurality of individual conveyors aligned in a transverse direction having individual motors for operating at different speeds and Landrum et al. discloses the broad teaching of providing conveyor belts operating at different speeds for rotating articles. It is submitted that there is no motivation for combining the references and, even if combined, that not all of the claim elements are met. By way of example, Landrum et al. is directed to a carton feeding and turning system, whereas Vanacore et al. is directed to a system for phasing advancing articles and Herubel et al. is directed to a system for putting articles in a queue. It is submitted that the combination would render the primary reference inoperable at least for the reasons

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that, in Landrum et al., the belts are solely for the purpose of feeding and turning successive cartons along a flowpath, whereas, in Hcrubel et al. and Vanacore et al., the belts are for adjusting spacing between a plurality of articles. Because there is no motivation in the art for the combination, it is submitted that the rejection has been overcome. Withdrawal is requested.

The undersigned wishes to confirm a personal interview with Examiner Ridley on Wednesday, August 24, 2005, 10:00 a.m., at Examiner Ridley's office in the Knox Building.


Respectfully submitted,

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By: Van Dyke, Gardner, Linn & Burkhardt, LLP

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